

AGREEMENT FOR THE EXCLUSIVE RIGHT TO SELL REAL ESTATE

Case 21-10827 Doc 59-2 Filed 08/16/21 Entered 08/16/21 15:32:33 Desc Listing

August 13, 2021

This agreement covers the following properties:

13-15 Congress Street, Boston MA 02109, 19-21 Congress Street, Boston MA
02109, 27-29 Stuart Street, Boston, MA 02116 (referred to herein as the "Properties").

Owner/Seller of said properties are HDG Congress LLC & HDG Stuart LLC (aka Kai Zhao)

, both being Massachusetts limited liability companies and both having a mailing address of 303 Wyman Street, Suite 300, Waltham MA 02451.

The Broker will market the above reference Properties for SALE without a specific asking price.

(Historically commercial properties in major metropolitan areas, such as Boston, attract a significant amount of interest from a number of potential buyers. Marketing these types of properties without a specific asking price will allow the properties to be sold at the highest possible price.)

The Seller/Owner has the right to accept or decline any offer for any reason.

In consideration of mutual covenants and agreements herein contained, the undersigned Seller/Owner hereby gives to the undersigned Broker, Commonwealth Commercial Advisors, Inc., the sole and Exclusive Right to Sell the above Properties for the price and the terms and conditions herein set forth.

- 1. This Agreement terminates <u>February 28, 2022</u>, thereafter, the term will automatically renew for successive <u>3 month</u> periods unless otherwise terminated by either party upon thirty (30) days written notice prior to the termination date of this Agreement.
- 2. The Broker shall use its best efforts to procure a ready, willing and able Buyer for the Properties in accordance with the terms and conditions of this Agreement, or at such other terms and conditions as shall be acceptable to the Seller/Owner. The Broker has the right to advertise said Properties, cooperate with other brokers and to place
- 3. For Sale signs on the Properties with the written consent of the Seller/Owner or Lessor.
- 4. COMMISSIONS: The Seller/Owner shall pay commissions according to the schedule below:
 - a. SALE: The commission due to the Broker shall be 1.5% of the entire

gross sale price. In the event that any of properties are sold through the efforts of a cooperating broker representing the buyer then the 1.5% commission due to the Broker shall be split between the listing broker and the cooperating broker. The commission shall be due and payable upon the recording of the deed at the time of conveyance. Such commission is only due if in fact the Properties are conveyed, a deed is recorded, and full consideration is paid by Buyer to the Seller.

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- b. ADDITIONAL OBLIGATIONS: In the event that the Properties or any part thereof are sold within three (3) calendar months following the expiration of this Agreement, or any extensions or renewal hereof, to anyone who is introduced to the said Properties through the efforts of the Broker or his agents during the original term of this agreement or any extension or renewal hereof, the Owner/Seller agrees to pay the Broker a commission split as set forth above.
- 5. OWNER'S DEFAULT/LESSOR'S DEFAULT: In the event that the Owner/Lessor fails to make payment of commissions promptly as they are due and in the proper amount as set forth herein, interest shall accrue on the entire unpaid balance of the commission from the date due until paid at the annual simple interest rate of eighteen (18%) percent. In the event of such default, the Broker shall be entitled to reasonable attorney's fees and costs in connection with the collection of said commission.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this _____day of August, 2021.

OWNER/SELLER/LESSOR:

By: (A) (H)

Name/Title:

2/13/2021

Date

BROKER: Commonwealth Commercial Advisors, Inc.

By:

8/13/2021

Stefan T. Frey Principal

Date

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